

Case No.: CV-_____

1. This is an action, pursuant to [9 U.S.C.A. § 9](#) (Federal Arbitration Act) and FINRA Rule 2080, to confirm an arbitration award dated May 10, 2018 directing that a consumer claim filed with Morgan Stanley & Co, LLC against Plaintiff be expunged from financial advisor Michael Charles Warr's Central Registration Depository (CRD) record maintained by the Financial Industry Regulatory Authority (FINRA).

2. Plaintiff is a securities broker/dealer registered with the Securities and Exchange Commission and a member of FINRA. Plaintiff is licensed to conduct business in the State of Alabama.
3. At all times relevant to this action, Plaintiff, Michael Charles Warr, was a registered representative employed by Defendant Morgan Stanley & Co., LLC as a financial advisor.
4. On or about March 13, 2009, Defendant Morgan Stanley settled customer dispute occurrence number 1451227 (“the underlying claim”) regarding allegations against Plaintiff.
5. On or about October 11, 2017 Plaintiff filed a Statement of Claim requesting an arbitration with an expungement hearing before FINRA Dispute Resolution in order to expunge the underlying claim from his CRD record. The arbitration was captioned: In the matter of the Arbitration of Michael Charles Warr v. Morgan Stanley and Co, LLC Case No. 17-02743. See Statement of Claim attached hereto as Exhibit A.
6. Morgan Stanley filed an Answer and did not oppose the Plaintiff’s request for expungement. See Answer of Morgan Stanley attached hereto as Exhibit B.
7. FINRA designated an arbitrator to hear and decide the case. Notice of the designation of the arbitrator was given to the parties, who accepted the arbitration assigned by FINRA.

8. A recorded telephonic hearing before the FINRA arbitrator was held on May 7, 2018 regarding the request for expungement. Michael Charles Warr provided sworn testimony at the hearing regarding his role and the facts and circumstances of the underlying Arbitration. Plaintiff also introduced various documents into evidence in support of the request for an order of expungement.
9. Defendant Morgan Stanley participated in the expungement hearing and did not contest the request for expungement.
10. After considering the pleadings, the testimony, and the documentary evidence, the Arbitrator who presided over this matter executed and acknowledged an award, dated May 10, 2018. The Award recommends that, on confirmation of the Award by a court of competent jurisdiction, all references to the underlying claim number 1451227 be expunged from FINRA's CRD records relating to Plaintiff (CRD# 3187674). A true and correct copy of the Award is attached hereto as Exhibit C.
11. As requested by and in compliance with FINRA Rule 2080, the Award contained the following affirmative findings of fact with respect to Michael Charles Warr: the claim, allegation, or information is false.
12. The jurisdiction of this court is based on [9 U.S.C.A. § 9](#) and [28 U.S.C.A. § 1332](#).

13.Venue is proper in this Court because the hearing was held in Birmingham, Alabama.

14.FINRA Rule 2080 requires that FINRA be named as a party in a judicial proceeding to confirm an arbitration award.

15.No court of competent jurisdiction has previously been requested to confirm, vacate, or modify the Award on any grounds specified in Federal Arbitration Act, [9 U.S.C.A. § 9](#).

WHEREFORE, Plaintiff seeks an order confirming the Award, directing that judgment be entered on the Award in this Court, expunging all references to the underlying claim number 1451227 from Michael Charles Warr's CRD records, and any further relief this Court may deem just and proper.

/s/ David E. Rains

David E. Rains
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**SERVICE WILL BE REQUESTED VIA CERTIFIED MAIL UPON THE
FOLLOWING DEFENDANTS:**

MORGAN STANLEY & CO., LLC
C T CORPORATION SYSTEM
2 NORTH JACKSON STREET SUITE 605
MONTGOMERY, AL 36104

FINANCIAL INDUSTRY REGULATORY AUTHORITY (FINRA)
CORPORATION SERVICE COMPANY INC
641 SOUTH LAWRENCE STREET
MONTGOMERY, AL 36104